

THE EFFECTIVE DATE OF THIS ORDINANCE IS MARCH 5, 2003

ORDINANCE NO. 03-03-326

**Re: Amendment to the Zoning Ordinance to create
a definition for "Agritourism Enterprise"
and determine the zoning districts in which the
use will be permitted.**

Zoning Text Amendment R-T-03-01

PREAMBLE

The Board of County Commissioners has determined to adopt an Ordinance amending Chapter 19 (Zoning) of the Frederick County Code, Sections 1-19-4 and 1-19-289. The amendments will create a definition for a use entitled "Agritourism Enterprise" and determine the zoning districts in which this use will be permitted.

The Frederick County Planning Commission held a public hearing on January 8, 2003. The Planning Commission voted 6 - 0 (Commissioner Cady abstained) to recommend approval of the text amendment.

A public hearing was held by the Board of County Commissioners on March 4, 2003. The zoning text amendment and the public hearing before the Board of County Commissioners were duly advertised in the Frederick News Post, a newspaper of general circulation of Frederick County, on February 15 and February 22, 2003.

NOW THEREFORE BE IT ENACTED AND ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS FOR FREDERICK COUNTY, MARYLAND, that Chapter 19 of the Frederick County Code (1979) be amended as shown on the attached Exhibit A, which is incorporated herein by reference.

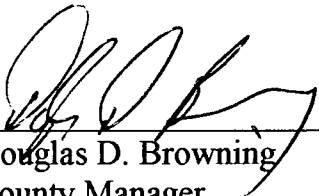
PC: CAO, SHAW, THOMPSON, SMITH, GROSSWICKLE, FILE

AND BE IT FURTHER ENACTED AND ORDAINED that this Ordinance shall take effect on March 5, 2003.

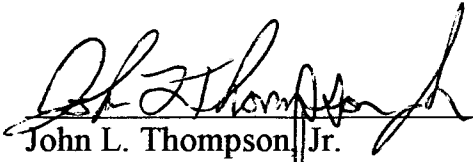
The undersigned hereby certifies that this Ordinance was approved and adopted on the 4th day of March, 2003.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
OF FREDERICK COUNTY, MARYLAND



Douglas D. Browning
County Manager



John L. Thompson, Jr.
President

3/6/03

EXHIBIT A

Insert the following in:

Sec. 1-19-4. Definitions.

(b) In this chapter the following terms are used as defined unless otherwise apparent from the context:

AGRITOURISM ENTERPRISE: ACTIVITIES CONDUCTED ON A FARM AND OFFERED TO THE PUBLIC OR TO INVITED GROUPS FOR THE PURPOSE OF EDUCATION, RECREATION, OR ACTIVE INVOLVEMENT IN THE FARM OPERATION. THESE ACTIVITIES SHALL BE RELATED TO AGRICULTURE AND SHALL BE ACCESSORY TO THE PRIMARY AGRICULTURE OPERATION ON THE SITE. THIS TERM SHALL INCLUDE, FARM TOURS, HAYRIDES, CORN MAZES, SEASONAL PETTING FARMS, FARM MUSEUMS, PUMPKIN PATCHES, "PICK YOUR OWN" OR "CUT YOUR OWN" PRODUCE, CLASSES RELATED TO AGRICULTURAL PRODUCTS OR SKILLS, PICNIC AND PARTY FACILITIES OFFERED IN CONJUNCTION WITH THE ABOVE. NO USE THAT IS OTHERWISE IDENTIFIED IN SECTION 1-19-289 AS PERMITTED WITH SITE PLAN APPROVAL OR BY SPECIAL EXCEPTION IS PERMITTED AS AN AGRITOURISM ENTERPRISE.

**CAPITALS AND/OR UNDERLINING INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter deleted from existing law.**

Insert the following in:

Sec. 1-19-289. Use regulations for specific zoning districts.

ZONING DISTRICTS																
	RC	A		R 1	R 3	R 5	R 8	RI 2	RI 6		VC	HS	G C	OR I	LI	G I
NATURAL RESOURCES USES																
Agricultural Activities	P	P		P	P	P	P	P	P		P	P	P	P	P	P
<u>AGRITOURISM</u>	<u>P</u>	<u>P</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>ENTERPRISE</u>																
Commercial Greenhouses and Nurseries	E	E											PS		P S	P S
Roadside Stands – Retail and Wholesale	PS	P S		P S	P S						PS	PS	PS			
Forestry	P	P		P	P	P	P	P	P		P	P	P		P	P
Sawmill	PS	P S														P S
Mineral Extraction																P S

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